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10	UNITED STATI	ES DISTRICT COURT
11	NORTHERN DISTRICT OF CALIFORNIA	
12	SAN FRANCISCO DIVISION	
13		
14	UNITED STATES OF AMERICA,	No. CR 05-0395 CRB
15	Plaintiff,	REQUEST, STIPULATION AND ORDER
16	v.	
17	CHANG SOO YOUN,	
18	Defendant.))
19	This matter is currently on the Court's calendar for August 30, 2006. Through counsel, defendant Chang Soo Youn and the United States ask the Court to (a) vacate the August 30, 2006 date based on the defendant's anticipated change-of-plea; (b) set a date of September 27, 2006, for the change-of-plea; and (c) exclude time under the Speedy Trial Act, 18 U.S.C. § 3161 from August 30, 2006, to September 27, 2006. 1. The parties have an agreement in principle and are finalizing the language of the plea agreement. The parties require additional time to complete that process. 2. The parties agree that the time between August 30, 2006 and September 27, 2006	
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28	should be excluded from the Speedy Trial clo	ck. Previously, the Court has declared this case
	ORDER CR 05-0395 CRB	1

complex. See 18 U.S.C. § 3161(h)(8)(B)(ii). Defense counsel needs time to review the materials with the defendant, and counsel for the government is out of district and thus unavailable for the first two weeks in September. These matters need a short amount of time to be resolved, and thus the parties agree that a continuance is necessary for the effective preparation of defense counsel, taking into account the exercise of due diligence, and based on continuity of counsel.

See 18 U.S.C. § 3161(h)(8)(B)(iv). The parties also agree that the ends of justice served by excluding the period from August 30, 2006 to September 27, 2006 outweigh the interest of the public and the defendant in a Speedy Trial. See id. § 3161(h)(8)(A).

STIPULATED:

August 29, 2006	/S/ PETER B. AXELROD
DATE	PETER B. AXELROD
	LAUREL BEELER
	Assistant United States Attorneys

August 29, 2006 /S/ BRIAN BERSON_
DATE BRIAN BERSON
Attorney for Chang Soo Youn

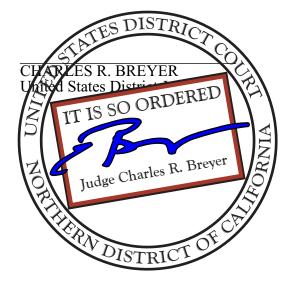
ORDER

For good cause shown, and for the reasons stated above, the Court (a) vacates the August 30, 2006, hearing date for defendant Chang Soo Youn based on the anticipated plea agreement, (b) sets the matter for change-of-plea on September 27, 2006, at 2:15 p.m., and (c) excludes times under the Speedy Trial Act, 18 U.S.C. § 3161, from August 30, 2006, to September 27, 2006. The Court finds that the failure to grant the requested exclusion would deny defense counsel reasonable time necessary for effective preparation taking into account the exercise of due diligence and continuity of counsel. Further, the Court finds the exclusion warranted on complexity grounds, under 18 U.S.C. § 3161(h)(8)(B)(ii). Thus, the Court finds that the ends of justice served by granting the requested exclusion outweigh the best interest of the public and the defendant in a speedy trial and in the prompt disposition of criminal cases. The Court therefore

concludes that this exclusion of time should be made under 18 U.S.C. §§ 3161(h)(8)(A), (h)(8)(B)(ii) and (h)(8)(B)(iv).

IT IS SO ORDERED.

DATED: August 29, 2006



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